OFFICE OF
APPELLATE COURTS

JUL 24 2013

FILED

STATE OF MINNESOTA

IN SUPREME COURT

ADM09-8009

**PROMULGATION OF AMENDMENTS
TO THE MINNESOTA GENERAL RULES OF PRACTICE
FOR THE DISTRICT COURTS, TITLE II,
RULES GOVERNING CIVIL ACTIONS,
FORMS 145.1 AND 145.2**

**ORDER**

As set forth in the General Rules of Practice for the District Courts, Title II, Rules Governing Civil Actions, Forms 145.1 (Receipt of Minor Settlement Order and Funds) and 145.2 (Combined Motion and Order for Release of Minor Settlement Funds), request financial account numbers that should be placed on a separate Form 11.1 (Confidential Information Form) to protect the privacy of litigants.

IT IS HEREBY ORDERED that the attached amendments, with additions shown in double underlined text, to the General Rules of Practice for the District Courts, Title II, Rules Governing Civil Actions, Forms 145.1 (Receipt of Minor Settlement Order and Funds) and 145.2 (Combined Motion and Order for Release of Minor Settlement Funds), are prescribed and promulgated to be effective immediately.

DATED: July 24, 2013

BY THE COURT:

Lorie S. Gildea
Chief Justice

**FORM 145.1 RECEIPT OF MINOR SETTLEMENT ORDER AND FUNDS**
(Gen. R. Prac. 145.05)

**State of Minnesota** **District Court**

**County of** _____ _____ **Judicial District**

**Case Type:** _____

_____
Plaintiff/Petitioner **Case No.** _____

and **RECEIPT OF MINOR SETTLEMENT ORDER AND FUNDS**
(Provided Pursuant to Rule 145 of the Minnesota General Rules of Practice)

_____
Defendant/Respondent

1. _____ ("**Financial Institution**") acknowledges receipt of the sum of $ _____ on behalf of _____ in this action.

2. **Financial Institution** acknowledges receipt of the Order Approving Settlement and For Deposit Into Restricted Account dated _____ in this action, and that the funds delivered remain subject to that order in the account specified below:

Name of Depository: _____

Branch Name: _____

Branch Address: _____

_____

Account Number: (Place on separate form 11.1*)

Date Account Opened: _____

Current Balance: $ _____

3. This account is a federally insured, restricted account, and no withdrawal of either principal or interest shall be allowed by **Financial Institution** without a signed court order in this case.

Dated: _____ Type or Print Name _____

Signature: _____

Title: _____

* = As required by Rule 11.2 of the Minnesota General Rules of Practice

**FORM 145.2**
**COMBINED MOTION AND ORDER FOR RELEASE OF MINOR SETTLEMENT FUNDS** (Gen. R. Prac. 145.05)

**State of Minnesota**
**County of _____**

**District Court**
**_____ Judicial District**
**Case Type: _____**

_____
Plaintiff/Petitioner

**Case No. _____**

and

_____
Defendant/Respondent

**COMBINED MOTION AND ORDER FOR RELEASE OF MINOR SETTLEMENT FUNDS**
(Pursuant to Rule 145 of the Minnesota General Rules of Practice)

1. _____ ("Movant") requests an order of permitting withdrawal of funds now held in a restricted account pursuant to a minor settlement approved in this action on _____. Movant brings this Motion as the

_____ (Minor, now past the age of majority–Date of Birth _____)

*or*

____ _____to minor. (Specify whether trustee, custodian, parent, legal guardian, conservator, or other specified role).

2. Funds are now held on behalf of _____ in the following account:

Name of Depository: _____

Branch Name: _____

Branch Address: _____

_____

Account Number: (Place on separate form 11.1*)

Date Account Opened: _____

Current Balance: $ _____

* = As required by Rule 11.2 of the Minnesota General Rules of Practice

3. Previous withdrawals from the account, each of which was approved by the Court, are as follows:

_____ None.

*or*

_____ $ _____ on _____ for the purpose of _____

$ _____ on _____ for the purpose of _____

$ _____ on _____ for the purpose of _____

❑ Check if additional space is necessary, and attach a separate sheet with that information.

4. Movant seeks the release of funds in the amount of $ _____ for the following reason:

_____ Minor has reached the age of 18 and this is a final distribution

or

_____ The funds will be used for the benefit of the minor in the following way:

_____

_____

_____.

❑ Check if additional space is necessary, and attach a separate sheet with that information.

5. Funds should be disbursed as follows:

$ _____ to _____

$ _____ to _____

$ _____ to _____

❑ Check if additional space is necessary, and attach a separate sheet with that information.

I declare under oath and penalty of perjury under the laws of the State of Minnesota that the foregoing is true and correct and that any funds released pursuant to this request will be used for the benefit of the minor and in the way stated.

Dated: _____.

Type or Print Name

_____

Signature: _____
(sign only in front of notary public or court administrator)

Sworn/affirmed before me this

_____ day of _____, _____
(DATE) (MONTH) (YEAR)

_____

_____
Notary Public/ Deputy Court Administrator

**ORDER APPROVING RELEASE OF FUNDS**

Pursuant to the foregoing Motion,

IT IS HEREBY ORDERED that

1. Movant is authorized to withdraw funds to be made payable as follows:

$ _____ to _____

$ _____ to _____

2. _____ This is a final distribution of funds from this account and the account may accordingly be closed following this final distribution

*or*

_____ This is not a final distribution of funds and this account must be maintained as to the remaining funds and subject to all restrictions on distribution previous ordered.

3. Other provisions: _____

_____

Dated: _____.

_____

Judge of District Court